UNITED NATIONS

World Chronicle

PROGRAMME: No. 696, recorded 3 February 1998

GUEST: **Salma Khan**
Chairperson
Committee on the Elimination of Discrimination Against Women

JOURNALISTS: Rob Watson, BBC
Raghida Dergham, Al-Hayat of London

MODERATOR: Michael Littlejohns

ELIMINATION OF DISCRIMINATION AGAINST WOMEN

The Convention on the Elimination of all Forms of Discrimination Against Women, adopted in 1979 by the United Nations General Assembly, provides the basis for realizing equality between men and women in all aspects of life. Salma Khan, Chairperson of the United Nations 23-member expert Committee on the Elimination of Discrimination Against Women (CEDAW), discusses the work of the Committee as well as the progress women have made in the enjoyment of their rights.

WORLD CHRONICLE is produced by the Media Division, Department of Public Information, United Nations, New York, NY 10017, U.S.A.

Duration: 28:00"
Executive Producer: Kamil Taha
Director: Livingston Hinckley
Production Assistant: Corazon A. Icasas

ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

KHAN: Thank you very much.

LITTLEJOHNS: Madam Chairperson, I noticed in the list of countries that have acceded or ratified the Convention – 161 at the last count – the United States is not among them. This must strikes many people as rather extraordinary since the United States is so much in the forefront in the defense of human rights and this Convention has been called the International Bill of Rights for Women. Is it a problem for you in your Committee that such an important Member State of the United Nations is not among the 161 signatories?

KHAN: I wouldn't call it a problem but definitely it would have given a greater impetus to the work of the Committee, much greater visibility, and we do hope that the United States will ratify that. There is a hope. We met Mrs. Clinton a few years back during the first tenure of Mr. Clinton and she gave a very positive indication that it would be done and we kind of still hope that it will be done.

LITTLEJOHNS: Have you received any explanation why the United States has not come aboard?

KHAN: Well, it was kind of unofficial explanation so whatever I could gather from various sources is because – to adopt any international convention, they need a sort of ratification by the different states ....

WATSON: Can I – Before this portion of the discussion goes any further, I just want to try and establish without the normalcy of incomprehensible UN speak, what exactly does the Committee do? I mean, if we could establish that before we sort of ...

LITTLEJOHNS: We're talking about the Convention ....

WATSON: I know, I know. I was just curious before in order to put that into context. I'm just sort of curious, you know, in a way that the viewers will understand.

KHAN: Well, Committee is – the basic mandate of the Committee is to monitor the implementation of the provisions of the Convention as it has been already said by Mr. Littlejohns that the provision of the Convention – there are sixteen substantive article which guarantees equality of women in social, cultural, educational as well as legal spheres – equal rights with men. So the major responsibility of the Committee is to monitor the implementation of the provision of these articles of the Convention by the States parties who have ratified the convention.

WATSON: So what you have like is like surprise UN weapon inspections in Iraq. You can parachute into a country and say, "Right, you're observing this convention properly". Is that the way it works?

KHAN: Well, our mandate is really to oversee the equality of men and women. Equal human right for men and women, but not really in the political conflict directly but obviously, we do get involved when it also affects the status of women, the vulnerability of women and children ...

LITTLEJOHNS: But you received and considered reports by signatory countries – parties?

KHAN: Oh yes, yes. But that is – when the station – one of the major responsibility of the station is to consider the reports which have been submitted to the committee and we also ask respective States parties to submit the report and the procedure is that within one year of ratification, the country must submit an initial report which should cover the socio-economic status of women, give a profile of the country, and then each sixteen substantive article of the Convention would be discussed and in light of the provision of those articles how women's rights are being sort of ...

LITTLEJOHNS: And if you're not satisfied, what do you do?

KHAN: Well, we – quite often we are not satisfied – and we try to get into what we call constructive dialogue with the State party because we have noted that this is much more sort of a – better way of getting directly to the things to be done in a proper manner and we try to find out from the States parties what are their major obstacles, why they have not been able to comply with the provisions of the Convention. And also, we give them some recommendation. We – after each report is being considered – then we give them a concluding comment on their report – highlight the positive aspects of that country regarding equality of women and then we try to identify the major obstacles still encountered by the country. And on the basis of this we also give them a recommendation and we do expect that when they expect that when they submit their next periodic report, which will be subsequent reports presented every four years after the initial is being presented. So we recommend that they do inform the Committee what progress have been made during this two period and also what they have been able to do and, if not, why they have not been able to do so.

DERGHAM: Has any country been able to establish itself as an A list, if you will, that it's the ideal country in dealing with women's issues. And also, the sort of the – if you will – the F list, the one that has failed?

KHAN: Well, I don't like to name any countries, but obviously, you know, Scandinavian countries have ...

WATSON: In New York, I can cite ...

KHAN: Yeah, so they're doing very well.

LITTLEJOHNS: They're always on top of the list

KHAN: But surprisingly, some of the smaller countries also have done quite good in some areas, whereas in some instances you'd see that some very developed countries have not done well in, say for example, to give you – establishing a national machinery to advance the status of women. In many cases, developing countries have given more resources, as well as they have a better administrative mechanism to set up a national machineries to oversee the advancement of women. So it varies from country to country that I would say ...

DERGHAM: What happens when a certain country is in a conflict or in the immediate aftermath of the conflict or under sanctions. What happens? How do you measure the status of women in these countries?

KHAN: It is very good that you raised this issue. As a matter of fact, within the mandate of the committee, usually we just consider the report on a normal basis, you know, you submit the report and as your turn come, then we select the report on the basis of a geographical distribution so that there is a kind of a balance between Africa, Asia, Latin America and Europe. But when there is a kind of a conflict or civil war or some other kind of problem is going on in a country which is a States party which have ratified our Convention, then we also have the mandate to ask for a report on an exceptional basis from that country to know the situation of women. And we have done so with Bosnia, Herzegovina, Zaire, Rwanda and we may do it some other countries in the future.

WATSON: My question is – has Afghanistan signed-up...

KHAN: No, it's not a state party, but a signatory. But unfortunately have not ratified the convention.

WATSON: You see that's part of the problem. I mean, without wishing to be crass or crude about this one, when any ordinary person just cast their eye around the world to once look at that country while women seems to be getting a pretty raw deal, something less would be Afghanistan ....

KHAN: Is it?

WATSON: I mean, is there anything you can do about that? Is there anyone there interested

KHAN: Unfortunately, not much because they are not party to our convention.

WATSON: So that's stuffed, basically.

KHAN: Well, we do sort of share that on some when we find an appropriate platform for that, but, frankly speaking, yes, we have our limitations.

LITTLEJOHNS: I understand Iran and Saudi Arabia are not – haven't acceded or ratified.

KHAN: No.

DERGHAM: Which brings me back to the question that Michael asked earlier, what is the explanation as to why the United States has not ratified this Convention and we also know that the United States has not ratified the convention on the rights of the child – the Rights of the Child Convention. Can you give us the explanation, I mean, the Iran case in Saudi Arabia is understandable but ... why not

KHAN: It would not be really proper on my part to try to say why

LITTLEJOHNS: You're a private person ....

KHAN: Yes, but I really think that they should do. I can only say this much but I personally find no reason why the United States is not doing so and in many ways, I'll definitely admit that the United States are doing perhaps more than many other countries and women are enjoying better rights and some areas....

WATSON: One of the reasons why the United States does – to avoid picking on America unlike some other countries that we can name around this table actually has rather strong constitution, bill of rights, which cover women as well as men.

DERGHAM: But still would that mean the justification for not ratification?

KHAN: Well, ah

WATSON: I mean,I think that a lot of legislation fulfil some of the things already covered in our existing bill of rights

KHAN: No, no, I would not accept that because unless you really monitor those, I mean, quite often, you know your de jure rights are quite in place. Apparently, it seems that you know everything is quite well, but when you really sort of try to get deeper into the things, things are not so well, and our convention is not just for the – neither the majority of the women nor the upper echelon of women. It's for all women. So we want that women from every strata, every class should enjoy their right.

WATSON: I mean, actually, on that point, we just sort of step back from it if you would, to take a snapshot of the condition of women around the world today. Are you optimistic? Is it a depressing picture? How would you paint it?

KHAN: Oh, definitely optimistic, especially since the convention have come into force. The share factor that 161 countries voluntarily have ratified the convention so definitely there is a greater sort of willingness on the part of the State to give better rights to ensure equal right of men and women. So definitely, there are positive elements and there is something to look forward to, but at the same time, the implementation is not really satisfactory.

DERGHAM: So as a result, for example, has the situation of women exposed or has the violence against women been less than before? Have you succeeded at making sure that women are protected by legal rights? Has there been any tangible success there?

KHAN: Well, I wouldn't say that whether it is a less or more. The thing is now, this is an issue which is at the forefront. That is the most important thing because in the past there were no data even. Now we insist each country must have a data – gender segregated data must be provided to us – the number of cases which have been reported, the number of rapes which have taken place. So these things are now an issue in nearly every country which have ratified the convention. So definitely you can address the issues when they are in the forefront, when it is an admitted fact that this is a problem.

WATSON: But presumably the very fact that it's being talked about now – in this programme, in this format, is a positive sign for you.

KHAN: Yeah, definitely it is a very positive sign.

DERGHAM: What is your priority right at this moment? Is it in fighting against violence against women or is it in empowering women to be in policy-making positions?

KHAN: I would say, from a country's point of view, both should go hand in hand because violence against women is really becoming a very major concern especially in the newly independent countries, there definitely is a higher increase in trend of violence because of various reasons – for restructural adjustments and for refugee women and displacement of women – unlike some of the countries we have monitored and during the eighteenth session also, we have found out that in some countries, the States parties have admitted that this is becoming a major problem compared to past. But at the same time unless you can empower women, unless women can have a say in the policy-making because you do need lot of – both from structural point of view as well as from social point of view to address these kind of issues.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Salma Khan, Chairperson of the Committee on the Elimination of Discrimination Against Women or CEDAW. Ms. Khan the Convention speaks about women's reproductive rights. Does this cover what is called in the United States, 'pro-choice'? I mean I am speaking now about women's rights to terminate pregnancies, for example.

KHAN: Well, without going into the debate of pro and choice, I would say that Committee's stand is more that women have a right to decide what she wants. Definitely we don't encourage abortion, but we feel that women must have access to safe abortion. And she must have access to informed choices, she must have access to contraceptives – so this is one of the very major area, also, I would say, and incidentally, at the celebration of the 50th Anniversary of the Human Right, the Committee has decided to take up two major work

besides monitoring of the country reports. One is – which did not come so far in the discussion – is the issue of reservation. How the countries – they ratify the convention, but they enter some reservation which is sort of – don't make them obligated to follow the provision of certain article of the Convention.

WATSON: So accept some but not all of it.

KHAN: They accept some or rather they don't accept some, I would say. So this is one of the major problem. Another idea, we have ourself decided, that we usually make general recommendation on certain specific areas or issues which affect women's status and which, over the years of consideration of our report, we have realized that this is an important area and we would like to make some recommendation which would be applicable to all States parties.

WATSON: I am sorely confused about this abortion issue. What does the – the convention is vague on women's rights to abortion itself.

KHAN: Well, Convention does not say anything on abortion but it seems that ...

LITTLEJOHNS: Reproductive rights ...

KHAN: Reproductive rights. I mean, she has the right to control her reproductivity – her own fertility. She should be the only person who will decide what is good for her. And she should be given all kinds of choices and she should be informed adequately to make the choices. So it could be either way. I mean, we definitely don't recommend that she should opt for abortion or she should not. It should be .....

LITTLEJOHNS: The introduction to this document says the Convention is the only human rights treaty which affirms the reproductive rights of women.

KHAN: Yeah.

LITTLEJOHNS: So that's pretty important, isn't it.

KHAN: Yes, it is. And also we do connect the – sort of the issue of reproductive right – with various other social issues, I mean, it's not just on health issue anymore. It is obviously her economic right, her other social rights which are very closely interlinked with the woman's reproductive rights.

DERGHAM: Do you have trouble with religious groups because of that?

KHAN: I wouldn't say we have problems with religious groups. I would say that we do have some problem with the way – sometimes religion is being used as a conflicting issue in giving women right in respective areas. So it is not ....

WATSON: For example?

KHAN: Many countries have entered reservation on article 16 which deals with family rights, rights in marriage, rights in divorce, inheritance rights which, most of the

countries who have entered reservation on this particular article, they have done so, citing the sort of their religious conflict which might arise if they go it unresolved.

WATSON: Could you be more specific, I mean, is something – like from your part of the world, your subcontinent – I mean, is an arranged marriage, do you think, fair to women.

KHAN: Well, ...

WATSON: .... and what does the Convention say about it?

KHAN: Well, it is perhaps going down in a very minor detail but definitely the question is whether she should not be forced. If she thinks that the arrangement is okay with her, that's no problem.

LITTLEJOHNS: Article 16b says that women should enjoy the same right freely to choose a spouse and to enter into marriage only with their free mutual consent.

KHAN: Yeah, and it's good ...

WATSON: I hope it later pay for males when it got to dinner parties and expensive places like ...

KHAN: That is a very ...

DERGHAM: We take objection to that statement, I certainly do. We take objection to that ...

KHAN: Yeah, yeah ...

LITTLEJOHNS: On that point, Ms. Khan, just before we came on this programme, I was talking to a colleague from North Africa and I told him that we're gonna be discussing the elimination of discrimination against women and the convention and his reaction was that there should be a convention against discrimination against men because he feels that the pendulum has swung too far. What's your reaction to people who think like that?

KHAN: I don't mind having a convention like that if you allow women to rule the world. No problem. Then obviously they ...

WATSON: Touche.

KHAN: Yeah. If there is matriarchal tendency in the society rather than patriarchal, if you let women rule the world, if you let women to control all the positions of power, then maybe there might ....

WATSON: This is .... sorry, Raghida.

DERGHAM: Yeah, it's all right. The issue of sexual harassment. Do you find cultural resistance to that issue in different parts of the world? Is there a lack of understanding as to why sexual harassment is an issue for women?

KHAN: Well, definitely so. In parts of Asia, also where I come from, quite often this kind of things are not even discussed. And there is a lack of understanding of what is really

meant by this. I mean, how far one should go before you call it sexual harassment. It's not only in this area. There are many other areas, as well. Even in some cases, like choice of women to space the number of children or the right of women to apply for a passport, like one of the States parties we just considered in 18th session, they require husband's permission to apply for a passport and when this question was raised, then the government representative said that this is not a legal barrier but this is just a way of giving recognition to the husband. So there is a very strange way of interpreting things.

WATSON: Can I strike a practical note here – let's say I'm watching this programme and I'm a woman who's being abused by my stupid, drunken husband and my boss is terrible to me at work and I'm not able to partake in the political process the way I would like, what should I do?

KHAN: Well, this is what I am talking about, the national machinery, you know. Most of the countries, we are encouraging them to have a proper ministry for women's affairs or a national missionary, which would sort of disseminate the convention which would tell women where to go so in each country, respective country, they may have different ...

WATSON: It's interesting why you said disseminate the Convention when one does well – I don't know – some poor unfortunate woman being abused in some country, well let's not name one, maybe working class people, where many of them have never heard of a convention.

KHAN: Well, that is the reason we try to really insist upon the government that they should translate that convention in the local language even if they have more than one ballot and then they should disseminate it, they should make women understand how to use that convention to claim their legal rights. It has been done in one country we have ...

WATSON: That's why I said I have never heard anyone mention it in Britain, for example. I never had a girlfriend say this is against the convention on women.

KHAN: Unfortunately, there is, I would say, the least publicity of the convention in developed countries. I have noted that many are not aware .....

WATSON: There's more publicity in developing countries.

KHAN: Yeah, of course, there are far more publicity in developing countries.

DERGHAM: And the reason for that? Is that because there is more abuse for women?

KHAN: The reason, I think there is a recognition of discrimination among women in the developing countries. I have met myself, to speak of, even I have met British woman when I told somebody that I am associated with this Convention and this Committee. Then the first statement she made, 'oh, we are never discriminated'. So, you know sometimes they even are not – I mean the perception differs but sometimes apparently women feel they are

not discriminated and that happens more in a developed society where it is not so – the visible manifestation is not there.

DERGHAM: What is an issue for you that has been marginalized. That you really think is essential to bring out in terms of fighting against discrimination against women.

KHAN: The most important thing is education. You'll be surprised that in – this morning on one of the report was being discussed, and then more than 50 percent of the population are illiterate and out of that, more than 50 percent are women. So in all these countries – very high rate of illiteracy and also the kind of literacy we mean is not life education, where even the literacy is there. So this is one of the prime thing. I mean this is the basic foundation for claiming your right.

WATSON: In other words, the magic wand is out of the question. I think maybe – if you had the magic wand you could wave and governments all around the world answer one wish in order to eliminate discrimination against women, what would it be? Would it be this issue of education?

KHAN: Well, I really don't think there is one thing which can give me equality with men. I mean, there has to be like, it was said, social, economic, cultural and legal rights. But basically, you know, de jure of sort of equality is far more in place these days, like the legal rights are much better. There is a trend in most of the countries to have better legal rights. But in de facto it is still far from satisfactory that is there is no implementation.

DERGHAM: Women in policy making, are they in the developed world where there are laws to protect them? Are they really making it in policy making or is it the same numbers that would be in the developing world?

KHAN: No, no, obviously not. But in the developing world there is more a kind of trend to use the affirmative action which we have in article 4 of our Convention and we try to encourage the States parties to use this article to accelerate the equality of men and women. This is a temporary local mechanism what we call. This is not that always woman should have a bigger share. But as long as there is a very huge gap to make up the gap, women should get preferential treatment.

WATSON: That's a slight digression, but of levity, really – my ex-girlfriend always says that if the world was run by women, it would be a much better place – there would never be any wars. Do you think that's true? Do you think you could make a better job of it?

KHAN: I do personally think that ....

WATSON: It sounded like that from what you were saying earlier ...

KHAN: Well, I ...

DERGHAM: No, the question is why is she your ex-girlfriend?

KHAN: Well, I would rather ask you this question – what do you think? If the world is run by women, do you think there will be as many war as many ...

WATSON: But that's precisely the point that she makes. I think it's certainly true to say that women -- I mean, I rarely ever see women fight each other and above. But I certainly see men do it on more than one occasion.

KHAN: Oh, yes. Much, much more. Women fight maybe for very trivial things just to ...

WATSON: I mean maybe -- that we need some macho on various cause.

KHAN: But when men fight, they fight very unreasonably, so ...

LITTLEJOHNS: Ms. Khan, we only have less than a minute left. I was interested to see that all 23 members of the Committee, in which you are the Chairperson, served in their personal capacity. Why is that?

KHAN: Well, for a very obvious reason, because the kind of analysis – critical analysis -- we have to make, we have to be very, very impartial and we have to be very straightforward. And quite often, it could be very difficult. If I represent my own country, obviously I'll not be able to say the words which I have said right now here.

LITTLEJOHNS: So you feel that in your personal capacity, you can be a free agent and say what you darn feel.

KHAN: Yes, yes we ... No, no we shouldn't -- I would not like to interpret it that way. But we would definitely can say what we feel that is the real reason for the discrimination against women, as well as what should be done and we don't have to be careful about relationship ....

LITTLEJOHNS: Ms. Khan, that's all the time we have. Thank you for being with us on this edition of World Chronicle.